



FISCAL MEMORANDUM

SB 968 - HB 1165

April 14, 2021

SUMMARY OF ORIGINAL BILL: Creates the Tennessee African American Historical Commission, to be composed of 12 members. Members shall be reimbursed for necessary expenses, including travel expenses. Establishes duties of the Commission. Requires the Commission to appoint a state historical director. Authorizes the Commission to employ personnel as deemed necessary to conduct its affairs.

Requires that African-American historical properties owned by the state be placed under the authority of the Commission, which may, in its discretion, make a contract for the administration, development, or operation of such property with a county, municipality, or agency within the state, a nonprofit corporation or organization, or a private individual, partnership, corporation, or association. The Commission must determine criteria for the approval of such properties for state aid, make reasonable rules for the public use of such properties, and establish fees for public admission to such properties.

Authorizes public officials to provide the Commission with official books, documents, records, official papers, and other printed media, for the purpose of permanent preservation. Authorizes the Commission to charge fees for copies of such media.

Authorizes the Commission to order the Commissioner of the Department of Finance and Administration to draw necessary funds, in addition to funds received from such admission fees and copy fees, to aid the Commission.

Creates an honorary position for State Historian for African-American history. Requires the Department of Finance and Administration to furnish office space for such position. Such historian shall serve without compensation but shall be reimbursed for necessary travel expenses incurred while in the performance of official duties.

Requires all state agencies, which have control of state property, to consult the Commission prior to demolishing, altering, or transferring property that is or may be of historical, architectural, or cultural significance to African-Americans. Establishes that the Commission has 30 working days to review and comment on plans to demolish, alter, or transfer state property that is or may be of historical, architectural, or cultural significance to African Americans. Requires that such state agencies seek advice of the Commission on possible alternatives to demolition, alteration, or transfer of such property.

Creates a special account within the General Fund, to be entitled the African-American Historic Property Land Acquisition Fund (Fund). Expenditures from the Fund may only be made to acquire land for areas designated as an historic place as evidenced by its inclusion on the

National Register of Historic Places or the Tennessee Register of Historic Places, or any other historic area as approved by majority vote of the Commission. Monies in the Fund do not revert at fiscal year-end, but continue with the Fund.

Requires the Commission to collaborate with the State Textbook and Instructional Materials Quality Commission to develop and recommend curriculum that incorporates the achievements made by African Americans in the state and the United States.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENTS (006288, 007133): Amendment 006288 deletes and rewrites all language after the enacting clause such that the only substantive changes are: renames the Commission as the *Tennessee African-American Historical Affairs Commission*; removes the position of the State Historian for African-American History; removes provisions which placed any African-American historical properties owned by the state under the Commission's authority and subsequently removes the Commission's authority to establish admission fees to such properties; removes references to the African-American Historic Property Land Acquisition Fund.

Amendment 007133 adds language to the bill as amended by amendment 006288 such that the only substantive change requires that a statue of Ida B. Wells be erected and placed on the capitol grounds, requiring that only non-state sources be used for the development, implementation, design, and placement of such statue. Creates a separate account with the General Fund to be known as the Ida B. Wells Statue Fund (Fund). All monies relating to such statue shall be deposited and expended out of such Fund. Balances in the Fund shall carryforward.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

Increase State Expenditures – \$215,800/FY21-22/

**Tennessee African American Historical Commission
\$209,000/FY22-23 and Subsequent Years/
Tennessee African American Historical Commission**

Other Fiscal Impact – The precise amount of revenue to the Commission from grants, gifts, and fees is dependent on unknown factors. In the event that such revenue is not sufficient to cover expenditures, an appropriation from the General Fund will be required.

Assumptions for the bill as amended:

- The average mileage reimbursement per member for each meeting is estimated to be \$110 (\$0.47 x 234 miles).

- Every Commission member is assumed to require travel reimbursement.
- Members receive \$234 for lodging and \$61 for meals and incidentals, or \$295 total (\$234 + \$61).
- It is assumed that only 6 of the 12 Commission members will require reimbursement for lodging, meals, and incidentals.
- A total of six meetings annually.
- An increase in state expenditures of \$16,344 [(12 members x 6 meetings x \$110) + (6 members x 6 meetings x \$234)].
- The legislation requires the Commission to appoint an executive director.
- A recurring increase in state expenditures of \$81,576 (salary \$63,828 + benefits \$17,348 + supplies \$400) and a one-time increase in state expenditures of \$2,400 (computer \$1,400 + communications \$1,000).
- It is unknown how much travel this position will require, but it is reasonably estimated to require one day of travel per month, or 12 days per year. On such days, meals and incidentals will be reimbursed.
- An increase in state expenditures of \$4,860 [12 travel days x (\$110 + \$295)].
- In addition, the Commission is authorized to hire personnel as needed to carry out the provisions of this legislation.
- It is assumed that the Commission will require one administrative secretary position and one accountant-1 position.
- An increase in recurring state expenditures of \$106,247 (salary \$79,200 + benefits \$26,647 + supplies \$400) and a one-time increase in state expenditures of \$4,400 (computers \$2,400 + \$2,000 communication).
- All revenue earned through various means and allocations, gifts, grants, etc. are assumed to be allocated solely to the Commission, which is assumed not to revert to the General Fund, but carry forward. The precise amount of revenue to the Commission is unknown.
- An increase in state expenditures to the Commission in FY21-22 of \$215,827 (\$16,344 + \$81,576 + \$2,400 + \$4,860 + \$106,247 + \$4,400).
- An increase in state expenditures to the Commission in FY22-23 and subsequent years of \$209,027 (\$16,344 + \$81,576 + \$4,860 + \$106,247).
- This legislation requires non-state resources be the sole source of funding to develop, implement, and to offset all costs related to the statue resulting in no significant impact to state government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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